

SECOND REGULAR SESSION

HOUSE BILL NO. 1776

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HARLAN.

Read 1st time February 4, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

4211L.02I

AN ACT

To repeal section 59.800, RSMo, and to enact in lieu thereof one new section relating to county recorders of deeds.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 59.800, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 59.800, to read as follows:

59.800. 1. Beginning on July 1, 2001, notwithstanding any other condition precedent required by law to the recording of any instrument specified in subdivisions (1) and (2) of section 59.330, an additional fee of five dollars shall be charged and collected by every recorder of deeds in this state on each instrument recorded. The additional fee shall be distributed as follows:

(1) One dollar and twenty-five cents to the recorder's fund established pursuant to subsection 1 of section 59.319, provided, however, that all funds received pursuant to this section shall be used exclusively for the purchase, installation, upgrade and maintenance of modern technology necessary to operate the recorder's office in an efficient manner;

(2) One dollar and seventy-five cents to the county general revenue fund; and

(3) Two dollars to the fund established in subsection 2 of this section.

2. There is hereby established [in the state treasury] a revolving fund known as the "Statutory County Recorder's Fund", which shall receive funds paid to the recorders of deeds of the counties of this state pursuant to subdivision (3) of subsection 1 of this section. The [state treasurer] **director of the department of revenue** shall be custodian of the fund and shall make disbursements from the fund for the purpose of subsidizing the fees collected by counties that hereafter elect or have heretofore elected to separate the offices of clerk of the circuit court and

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 recorder. The subsidy shall consist of the total amount of moneys collected pursuant to
18 subdivisions (1) and (2) of subsection 1 of this section subtracted from fifty-five thousand
19 dollars. The moneys paid to qualifying counties pursuant to this subsection shall be deposited
20 in the county general revenue fund. For purposes of this section a "qualified county" is a county
21 that hereafter elects or has heretofore elected to separate the offices of clerk of the circuit court
22 and recorder and in which the office of the recorder of deeds collects less than fifty-five thousand
23 dollars in fees pursuant to subdivisions (1) and (2) of subsection 1 of this section, on an annual
24 basis. **Moneys in the statutory county recorder's fund shall not be considered state funds.**

25 [3. Any unexpended balance in the fund at the end of any biennium is exempt from the
26 provisions of section 33.080, RSMo, relating to transfer of unexpended balances to the general
27 revenue fund.]